IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

TUESDAY, THE TWENTIETH DAY OF NOVEMBER
TWO THOUSAND AND SEVEN.

P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No. 24348 of 2007

Between:

Bellam Sadasiva Rao … Petitioner

Versus

The State of AP
Represented by its Prl.Secretary,
Revenue Department, Hyderabad
& Ors. … Respondents

Counsel for the Petitioner: Sri NIMMAGADDA SATYANARAYANA

Counsel for the Respondents: GOVT.PLEADER FOR ENDOWMENTS

THE HON'BLE SRI JUSTICE P.S. NARAYANA

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WRIT PETITION No. 24348 of 2007

O R D E R :

The matter came up ‘for admission’ on 16-11-2007. The Assistant Govt.Pleader for Endowments had taken notice to get instructions. Thus, the matter is coming up ‘for admission’ today.

2. The writ petition is filed for a writ of mandamus, declaring the action of the respondents in not extending period of fishing rights in fourth respondent-tank and granting remission, in spite of the petitioner repeated representations as illegal, irregular, arbitrary, discriminatory and violative of the auction conditions and GO.Ms.No.2711, dated 22-12-2006 issued by the first respondent and offends Article14 and 21 of the Constitution of India and consequently to direct the respondents to extend period of fishing rights up to 30-6-2008 in continuation of the grant dated 08-11-2005 and grant remission and to pass such other suitable orders.

3. The learned counsel for the writ petitioner submits that despite the remission made by the fourth respondent for extension of the period of fishing rights, narrating the facts and circumstances in detail or representations made by the petitioners, the second and third respondents are not taking any further action in this regard.

4. The learned Assistant Govt.Pleader for Endowments would submit that as per the rules, the Commissioner of Endowments, who is the second respondent is the competent authority to take a

decision in pursuance of such recommendation. The counsel would also submit that the correspondence appears to be predominantly between the fourth and third respondents; the Manager, Ura Tank, Uppugunduru village, Naguluppalapadu Mandal, Prakasam district and the Assistant Commissioner of Endowments, Ongole, Prakasam district.

5. Be that as it may, as per the records placed before this court, it appears that the fourth respondent recorded reasons and recommended extension of fishing rights in pursuance of the representations made by the petitioners.

6. No doubt, the proceedings had been addressed to the Assistant Commissioner, the third respondent herein. It is stated that the representations were made even to the Commissioner of Endowments, the first respondent herein.

7. In the light of the facts and circumstances, especially in view of the recommendations already made by the fourth respondent, let the second respondent take appropriate decision in this regard within a period of four weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of accordingly at the stage of admission. No order as to costs.

JUSTICE P . S .
NARAYANA .

20/11/2007.

NB:

FURNISH C.C. OF THE ORDER
TODAY ITSELF.

B/o. I s L